

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

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JERRY EUGENE WHITLEY, #227 246 \*  
Petitioner, \*

v. \* CIVIL ACTION NO. 3:05-CV-427-F

J.C. GILES, WARDEN, *et al.*, \*  
Respondents. \*

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**ORDER ON MOTION**

Upon consideration of Petitioner's August 26, 2005 Amended Motion for Extension of Time to respond to Respondents' answer and in light of the court's August 25, 2005 order granting Petitioner an extension to and including September 19, 2005 to file his response, it is

ORDERED that the motion (Doc. No. 16) be and is hereby DENIED as moot.

Done this 31<sup>st</sup> day of August, 2005.

/s/Charles S. Coody  
CHARLES S. COODY  
CHIEF UNITED STATES MAGISTRATE JUDGE